

REMARKS

Typographical corrections

The application currently contains typographical errors, sometimes using the word "break" or "breaking" when the word "brake" or "braking" was intended. For consistency throughout the application, applicant has amended the phrases "break lever" and "breaking lever" used in the summary of the invention and also used in claims 1, 4, 14, and 17, to the phrases "brake lever" and "braking lever". With respect to claims 4, 14, and 17, the typographical corrections are the only amendments made to those particular claims.

Allowable claims

Applicant appreciates the indication that claims 3, 7, 12, and 16 are allowable subject to being placed in independent form. Applicant has deleted claims 3, 7, 12, and 16, and has added claims 30, 34, 37, and 39 placing claims 3, 7, 12, and 16 in independent form. Accordingly, claims 30, 34, 37, and 39 are in condition for allowance.

Rejected claims

The references of record and bases of rejection have been carefully studied. Claims 1, 2, 4-6, 8-11, 13-15, and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Sarvie. Claim 1 has been amended to overcome this rejection and now recites in part that the handle portion of the second member defines a notch extending from an outer surface of the handle portion of the second member at least partially into the handle portion of the second member. This amendment overcomes the rejection of claim 1 based on Sarvie.

As discussed in the specification, for example, at page 10, lines 23-24; page 11, lines 1-2; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13, an end 53 of applicant's brake lever 43, as recited in this claim, pivots within a notch 54 in the handle portion 27 of the second member 23. No such brake lever pivoting action is disclosed in Sarvie. Rather, instead of a brake lever pivoting inside a notch, Sarvie discloses clutch plates 31 and 32 which abut adjacent a fulcrum portion 33 of a cam shaft

34. (Column 2, lines 29-35). The cam shaft 34 is attached to a lever 39 encircling the end portion of a handle 23. (Column 2, lines 36-47). The thrust of a spring 46 holds the plates 31 and 32 against the fulcrum portion 33 on the cam shaft 34 and causes the clutch plates to grip the shank 25. (Column 3, lines 26-32). When sufficient force is applied to the lever 39, the lever 39 pivots on cam shaft 34 turning the cam shaft 34 clockwise to apply force to the clutch plates 31 and 32 to grip the shank 34 by a multiplied force. (Column 3, lines 38-53).

Accordingly, the rejection should be withdrawn. Besides not being anticipated by Sarvie, claim 1 is not rendered obvious by Sarvie. As discussed above in detail, applicant's invention discloses a much simpler arrangement of parts, which not only lessens expense by providing fewer parts, but also allows easy accessibility to the brake lever, which has every component exposed, unlike Sarvie. As a result, claim 1 is now in condition for allowance.

Claims 2, 4-6, and 8-9 all depend from claim 1 and are allowable for at least the same reasons given above as to why claim 1 is allowable in addition to distinguishing therefrom by reciting additional features. Accordingly, claims 2, 4-6, and 8-9 are now in condition for allowance.

With respect to claim 10, an independent claim, applicant respectfully disagrees with the examiner's conclusion that Sarvie anticipates applicants' disclosure. Claim 10 discloses in part a first member having a handle portion and a jaw portion, one of the jaw portion flexible in an outward direction and biased in an inward direction. Sarvie does not disclose a member having any part of its jaw portion biased in an inward direction.

Accordingly, the rejection is improper and should be withdrawn. Besides not being anticipated by Sarvie, claim 10 is not rendered obvious by Sarvie. The invention disclosed in Sarvie is not directed towards a biased inward and flexible outward jaw arrangement, and does not discuss nor suggest such an arrangement. As a result, claim 10 is in condition for allowance.

Claims 11, 13-15, and 17 all depend from claim 10 and are allowable for at least the same reasons given above as to why claim 10 is allowable in addition to distinguishing

therefrom by reciting additional features. Accordingly, the rejections are improper and should be withdrawn. As a result, claims 11, 13-15, and 17 are in condition for allowance.

Added claims

Claim 18 has been added to recite an embodiment wherein the second member is one piece. This feature is supported in the specification, for example, at page 9, lines 12-14; and page 12, lines 15-16, in addition to being shown in detail in applicant's figures 1-13. Claim 18 depends from claim 1 and is allowable for at least the same reasons given with respect to claim 1. Accordingly, claim 18 is in condition for allowance.

Claim 19 has been added to recite an embodiment wherein an end of the brake lever is pivotally coupled to the second member by being disposed within the notch in the handle portion of the second member, the brake lever pivoting against the inner surfaces of the notch in the handle portion of the second member. These features are supported in the specification, for example, at page 10, lines 23-24; page 11, lines 1-2; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13. Claim 19 depends from claim 1 and is allowable for at least the same reasons given with respect to claim 1. Accordingly, claim 19 is in condition for allowance.

Claim 20 has been added to recite an embodiment wherein the brake lever is a single lever. This feature is supported in the specification, for example, at page 10, lines 4-6, lines 22-23; page 13, lines 6-8; and page 14, lines 1-2, in addition to being shown in detail in applicant's figures 1-13. Claim 20 depends from claim 1 and is allowable for at least the same reasons given with respect to claim 1. Accordingly, claim 20 is in condition for allowance.

Claim 21 has been added to recite an embodiment wherein the brake lever is a single piece. This feature is supported in the specification, for example, at page 10, lines 4-6, lines 22-23; page 13, lines 6-8; and page 14, lines 1-2, in addition to being shown in detail in applicant's figures 1-13. Claim 21 depends from claim 1 and is allowable for at least the same reasons given with respect to claim 1. Accordingly, claim 21 is in condition for allowance.

Independent claims 22, 24 and 25 have also been added. Claim 22 is a slight variation of amended claim 1, reciting an embodiment wherein the second member is molded as a single piece. This feature is supported in the specification, for example, at page 9, lines 12-14; and page 12, lines 15-16, in addition to being shown in detail in applicant's figures 1-13. Likewise, claim 24 is a slight variation of amended claim 1, reciting an embodiment wherein the notch has inner surfaces integral with the second member. These features are supported in the specification, for example, at page 10, lines 23-24; page 11, lines 1-2; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13. Similarly, claim 25 is a slight variation of amended claim 1, reciting an embodiment wherein the brake lever pivots about a fixed point relative to said second member. These features are supported in the specification, for example, at page 10, lines 23-24; page 11, lines 1-2; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13. For the reasons previously discussed in reference to claim 1, Sarvie does not disclose nor render obvious added claims 22, 24 and 25. More particularly, in respect to claim 22, Sarvie does not disclose nor suggest a brake lever pivoting within a notch disposed in a molded single piece second member. Likewise, in respect to claim 24, Sarvie does not disclose nor suggest brake lever pivoting action against the inner surfaces of a notch disposed within a handle. Similarly, in respect to claim 25, Sarvie does not disclose nor suggest the brake lever pivoting about a fixed point relative to said second member, but rather discloses a brake lever pivoting about a moving cam. Accordingly, independent claims 22, 24, and 25 are in condition for allowance.

Claim 23 has been added to recite an embodiment wherein an end of the brake lever is pivotally coupled to the second member by being disposed within the notch in the handle portion of the second member, the brake lever pivoting against the inner surfaces of the notch in the handle portion of the second member. These features are supported in the specification, for example, at page 10, lines 23-24; page 11, lines 1-2; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13. Claim 23 depends from claim 22 and is allowable for at least the same reasons given with respect to claim 22. Accordingly, claim 23 is in condition for allowance.

Independent claim 26 has also been added. Claim 26 is a slight variation of amended claim 1, reciting an embodiment wherein the first and second members are each

molded as a single piece, and reciting that the brake lever has an end contacting the second member. These features are supported in the specification, for example, at page 9, lines 11-14; page 10, lines 23-24; page 11, lines 1-2; page 12, lines 13-16; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13. For the reasons previously discussed in reference to claim 1, Sarvie does not disclose nor render obvious added claim 26. More particularly, Sarvie does not disclose nor suggest that the first and second members are each molded as a single piece, nor that the brake lever has an end contacting the second member. Accordingly, independent claim 26 is in condition for allowance.

Claim 27 has been added to recite an embodiment wherein the end of the brake lever pivotally contacts the second member. This feature is supported in the specification, for example, at page 10, lines 23-24; page 11, lines 1-2; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13. Claim 27 depends from claim 26 and is allowable for at least the same reasons given with respect to claim 26. Accordingly, claim 27 is in condition for allowance.

Claim 28 has been added to recite an embodiment wherein the second member defines a notch, and that the brake lever extends into the notch. These features are supported in the specification, for example, at page 10, lines 23-24; page 11, lines 1-2; and page 14, lines 5-8, in addition to being shown in detail in applicant's figures 1-13. Claim 28 depends from claim 27 and is allowable for at least the same reasons given with respect to claim 27. Accordingly, claim 28 is in condition for allowance.

Claim 29 has been added to recite an embodiment wherein the clamp device further comprises gripping members pivotally connected to the ends of the jaw portions. These features are supported in the specification, for example, at page 9, lines 14-19; and page 12, lines 16-22, in addition to being shown in detail in applicant's figures 1-13. Claim 29 depends from claim 26 and is allowable for at least the same reasons given with respect to claim 26. Accordingly, claim 29 is in condition for allowance.

As previously discussed, independent claims 30, 34, 37, and 39 have been added placing deleted claims 3, 7, 12, and 16 in acceptable independent form. Accordingly, claims 30, 34, 37, and 39 are in condition for allowance.

Dependent claims 31-33, 35-36, 38, and 40 have been added to recite further features in other embodiments previously recited in claims depending from the claims found to be allowable if rewritten in acceptable independent form. Claims 31-33 depend from allowable claim 30. Claims 35-36 depend from allowable claim 34. Claim 38 depends from allowable claim 37. Claim 40 depends from allowable claim 39. All of these dependent claims are allowable for at least the same reasons given with respect to the independent claims from which they depend. Accordingly, claims 31-33, 35-36, 38, and 40 are in condition for allowance.

In view of the above, applicant believes that all of the presently submitted claims are allowable and a formal Notice of Allowance is respectfully solicited.

Respectfully submitted,



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